

REMARKS

The above amendment with the following remarks is submitted to be fully responsive to the Office Action of July 8, 2004. Reconsideration of this application in light of the amendment and the allowance of this application are respectfully requested.

Claims 1, 2, 4-6 and 8-32 were pending in the present application prior to the above amendment. In response to the Office Action, claims 1, 29, 30, 31 and 32 have been amended. In addition, new claims 33-58 have been added to further define the scope of patent protection to which the applicants are entitled. Therefore, claims 1, 2, 4-6 and 8-58 are still pending in the present application and are believed to be in proper condition for allowance.

Referring now to the Office Action, claims 1, 2, 4-6, and 8-32 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,600,497 to Gottfurcht et al. that discloses a system and method for navigating a wide area network such as the internet. In particular, Gottfurcht et al. discloses an apparatus and method for navigating an interactive television using a remote control device in which a navigation matrix is displayed to the user. Upon selection of a single key on the displayed navigation matrix, another matrix layer is displayed for navigation by the user in the same manner. In this regard, the reference essentially discloses a system and method of presenting navigation menus which are displayed as a matrix such as that shown in the various figures of the reference.

In the Office Action, the Examiner asserts that Gottfurcht et al. is relevant prior art and that the reference renders the present invention as claimed, obvious and unpatentable. The Examiner admits that Gottfurcht et al. does not specifically disclose that the increased weighted importance of a feature category is selected, but asserts that one may reasonably interpret the selection criteria used by Gottfurcht et al. (for example cost in view of quality) to be construed as a weighted feature of importance. The Examiner further notes that a ranking system provided by Consumer Reports assigns evaluative metrics to each feature in each feature category. The Examiner then concludes that it would have been obvious for one of ordinary skill in the art to provide a weighted

selection criteria to the invention of Gottfurcht et al. to derive the invention as presently claimed in the pending independent claims. The Applicants respectfully disagree for the reasons set forth below.

Initially, the Applicants respectfully contend that Gottfurcht et al., as noted above, is essentially directed to a user interface, and does not relate to a system and method for comparing products which is the subject of the present invention. As examination of Gottfurcht et al. reveals, this reference does not relate to the present invention or the problems associated with methods of ranking products at all. Instead, the reference is merely addressing a need for a user interface that facilitates navigation of a wide area network, such as the internet, so that users who are inexperienced with computing can also navigate the internet. Thus, Gottfurcht et al. should not be relied upon as relevant prior art since it does not relate to the field of endeavor of the present invention, and is not reasonably related to a problem being addressed by the invention of the present application.

Further, even if Gottfurcht et al. is considered to be relevant prior art, the Applicants contend that this reference still fails to render obvious the method and system for ranking products as claimed. In particular, this reference merely utilizes a conventional, menu driven method for listing products in which a series of menus are navigated to arrive at a predetermined subset or list of products. This is illustrated by Figures 10a to 10g, and more specifically, Figures 10d and 10e of Gottfurcht et al. Once a product category "Receivers" is selected in the navigation matrix shown in Figure 10c, a new navigation matrix as shown in Figure 10d is displayed. As can be seen, this navigational matrix categorizes receivers into subcategories that are predefined and cannot be modified by the user. Figure 10e shows a subsequent navigational matrix that is displayed upon the selection of "Stereo Only" from the navigation matrix of Figure 10d. A simple, predetermined list of stereo receivers are displayed to the user so that the user can select a model to obtain additional information. The stereo receivers listed are ordered in the displayed navigation matrix based on Consumer Report's rankings of the receivers.

The Examiner asserts that one may reasonably interpret the selection criteria used by Gottfurcht et al. to be construed as a weighted feature of importance, and notes that a ranking system provided by Consumer Reports assigns evaluative metrics to each feature in each feature category. The Examiner then concludes that it would have been obvious for one of ordinary skill in the art to provide a weighted selection criteria to the invention of Gottfurcht et al. to derive the invention as presently claimed. The Examiner appears to be misunderstanding the present invention and is applying Gottfurcht et al. based on this misunderstanding.

The present invention is directed to a method and system for ranking products using data records indicating product features and values corresponding to the product features. As claimed, the present invention requires receiving a selection from a user of a feature category, assigning an increased weight importance of the selected feature category, and providing a ranking of products that are ranked based on the increased weighted importance of the selected feature category. As described in the Specification, the present invention provides a customized ranking of products based on the user's personal preferences and criteria as to which of the product features in a product category are important for the user. It is important to recognize that Gottfurcht et al. does not disclose, teach, or even suggest this feature. Whereas products are disclosed as being ranked in Gottfurcht et al., the importance of certain product features in a particular product category, and the corresponding ranking of the products, are predefined and predetermined by Consumer Reports. The user does not, and cannot, indicate importance of particular features of a particular product category at all, but can merely navigate through predetermined menus embodied as navigational matrices, that eventually provides a predetermined list of products that have been previously ranked by Consumer Reports.

The Examiner appears to be interpreting the action of the user in navigating through the various navigational matrices in Gottfurcht et al. as "assigning a weighted importance", "receiving a selection from a user of at least one feature category that is of importance to the user", "assigning an increased weighted importance of the selected

feature category”, and “providing to the user, a ranking of products in the product category ranked based on the increased weighted importance” as recited, for example, in claim 1 of the present application. The applicants respectfully disagree.

For example, with respect to claim 1, Gottfurcht et al. fails to disclose or suggest assigning a weighted importance to the feature categories based on available data in the data records. Whereas Consumer Reports may rank plurality of products as shown in Figure 10e of Gottfurcht et al., the reference fails to teach assigning of any weighted importance to feature categories. In addition, the reference further fails to disclose, teach, or otherwise suggest receiving a selection from a user of at least one feature category that is of importance to the user, and assigning an increased weighted importance of the selected feature category. It is noted that the assigning of a weighted importance to the feature categories, and receiving a selection from a user of a feature category and assigning an increased weighted importance to the selected feature category are important features of the present invention which allow the present invention to provide a user customized ranking of products that have been ranked in accordance with the feature categories that are important to the user, not some third party ranking service such as Consumer Reports.

As previously noted, Gottfurcht et al. does disclose a user’s selection of subcategory of products using the navigational matrices disclosed. However, this cannot be equated to receiving a selection from the user as to the feature category that is of importance to the user, and assigning an increased weighted importance to the selected feature category as recited in the present claim. Gottfurcht et al. merely discloses progressively detailed series of menus that can be selected to eventually display a matrix layer having predetermined products that have been ranked by Consumer Reports. There is no suggestion in the cited reference that the listed products such as that shown in Figure 10e are customized based on the selected feature categories which are then assigned an increased weighted importance as claimed.

Furthermore, whereas Consumer Reports may utilize metrics to rank various products, Consumer Reports does not allow consumers to weigh the feature categories

upon which the products are evaluated in a customized manner unique to the user as set forth in the present invention. Consumer Reports does not weigh the importance of the feature categories based on customized, individual, user criterion. Correspondingly, the rankings provided by Consumer Reports are fixed and cannot be modified, regardless of preferences of the user. Thus, because Gottfurcht et al. fails to disclose, teach, or otherwise suggest these features, the Examiner's assertions that it would be obvious to provide weighted selection criteria and to provide user selection features to Gottfurcht et al. are unsupported, and the Examiner appears to be engaging in improper hindsight reconstruction.

The above distinction and unobviousness of the present invention as compared to the cited Gottfurcht et al. is exemplified in the following scenario. A user may be an audio enthusiast who wants to obtain recommendations and a ranking for stereo receivers. The user may also want Pro-logic capabilities, but only if it does not degrade sound quality and does not increase the price significantly. However, in the system and method described in the cited Gottfurcht et al. as shown in Figure 10d does not allow a desired ranking of receivers that have been classified and placed under two different navigational matrices (menus). The user is forced to select between "Stereo Only" and "Pro-Logic" receivers, even though these sub-categories having overlapping price ranges. In addition, no comparison can be made with respect to sound quality of stereo receivers and pro-logic receivers.

In contrast, the present invention allows the user to select which feature categories for the product category are important to the user. In the above noted example, the user may indicate that price, features, and sound quality are important to the user so that in accordance with the method and system of the present invention, a plurality of receivers having similar price points and sound quality are ranked and displayed, some receivers being stereo only while some receivers having pro-logic processors. Of course, other feature categories may be indicated as being important such as brand, power output, warranty etc. The described selectability of a plurality of feature categories by the user is clearly not disclosed, taught, or otherwise suggested by Gottfurcht et al., which as

discussed above, merely provides a predetermined listing of products previously ranked by Consumer Reports.

Moreover, it is unclear why the Examiner summarily asserts that various other dependent claims are rendered obvious by Gottfurcht et al. when the cited reference does not disclose, teach or otherwise suggest the limitations cited therein. For example, claims 4 and 5 recite assigning a tag, assigning a relation type, creating links and using the assigned relation to create hierarchical category tree. Claims 6, 8-12 recite assigning a variety of property types to a feature category, while claims 19 and 20 recite assigning a variety of relation types. These features are not suggested by Gottfurcht et al. in any manner and the basis of the Examiner's rejection is unclear. Thus, the Applicants request reconsideration of this rejection and the withdrawal thereof.

However, to more clearly define the present invention, independent claims 1, 29, 30, 31 and 32 have been amended to specifically recite that a plurality of feature categories are assigned to a plurality of product features, weighted importance are assigned to the plurality of feature categories, a plurality of selections are received from a user indicating categories of importance to the user, and a customized ranking is generated based on the weighted importance of each feature categories, the increased weighted importance of the selected feature categories, and each products evaluative metrics. As discussed in detail above, the cited features of the claims as amended are not disclosed, taught or otherwise suggested by Gottfurcht et al. As noted, no customization of the generated ranking is made possible by the invention described in Gottfurcht et al. and there are no teachings or suggestions to incorporate such features into the invention of Gottfurcht et al. Therefore, the withdrawal of this rejection with respect to the amended independent claims are respectfully request. In addition, the Examiner's rejections with respect to the dependent claims are believed to be rendered moot in view of the above amendments to the independent claims.

Finally, as previously noted, new claims 33-58 have been added to further define the scope of patent protection to which the applicants are entitled. Independent claim 33 recites a system for generating a customized ranking of products in a product category

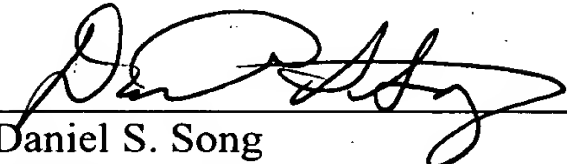
including a database with data records, and a controller that receives a plurality of weighting selections from a user for a plurality of feature categories corresponding to the importance of the plurality of feature categories to the user. A processor is provided that generates a ranking of the plurality of products in the product category based at least partially on the weighting selections of the feature categories from the user, as well as the data records, so that the generated ranking of products is customized to the user.

The remaining newly added dependent claims 34-48 further recite features of various implementations of such a system. For instance, the newly added claim 36 recites that the processor generates an initial ranking, and re-sorts the initial ranking of products based on the plurality of selections received from the user. This aspect of one embodiment of the present invention is described in pages 10 and 11 of the Specification. Newly added claims 39 to 44 are directed to various disclosed implementations of the present invention to facilitate the user in selecting and indicating the plurality of feature categories of importance. These aspects of the present invention are also described in pages 10 and 11 of the Specification. Newly added claim 33 is directed to the implementation of the invention where the processor is adapted to reduce at least one of the weighting selections from the user to include additional products. This implementation is described in pages 18 and 19 of the Specification, and further illustrated in Figure 6.

Each of the newly added claims 49-58 depend from one of the pending independent claims and are directed to graphically rendering the feature categories or the user's selections. These aspects of the present invention are also described in pages 10 and 11 of the Specification. Clearly, the present invention as claimed in the newly added claims 33-58 are not disclosed, taught, or otherwise suggested in the prior art of record. Consequently, the Applicants respectfully request the allowance of these claims as well.

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims. Applicants respectfully request that the Examiner enter the present amendment because the amendment places the application in condition for allowance.

Respectfully submitted,



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